

March 9, 2022

Honorable Senator Matthew Lesser  
Honorable Representative Kerry Wood  
Co-Chairs, Joint Insurance and Real Estate Committee  
Connecticut State Capitol  
Hartford, CT

**RE: Senate Bill 357**

Dear Chairs Matthew Lesser and Kerry Wood,

On behalf of the 690,000 adults living in Connecticut with doctor-diagnosed arthritis, the Arthritis Foundation would like to thank you for your committee's work in support of Senate Bill 1003 in 2021. That bill, now law, ensures that when calculating a patient's overall contribution to any out-of-pocket maximum or any cost-sharing requirement, a health plan must include any amounts paid by the patient or paid on behalf of the patient by another person.

Today, the Arthritis Foundation writes with concerns regarding Senate Bill 357. Although understanding of desire and need for this type of legislation relating to patients impacted by SB 1003 who have HSA-HDHP, we ask for the committee to move forward with the following language to resolve this issue:

*If under federal law, application of subsection (A) would result in Health Savings Account ineligibility under section 223 of the federal Internal Revenue Code, this requirement shall apply only, for Health Savings Account-qualified High Deductible Health Plans with respect to the deductible of such a plan after the enrollee has satisfied the minimum deductible under section 223, except for with respect to items or services that are preventive care pursuant to section 223(c)(2)(C) of the federal Internal Revenue Code, in which case the requirements of subsection (A) shall apply regardless of whether the minimum deductible under section 223 has been satisfied*

This language has not only been universally accepted by the patient community but also has been accepted by the National Council of Insurance Legislators (NCOIL). Accordingly, other states, such as Virginia (SB 433/HB 1081), Oklahoma (HB 4279), and Illinois (HB 4433), that have enacted accumulator bans over the last several years have been working this year to adopt that same language. States that have introduced legislation to ensure that all copays count for the first time this year have added in the above language to their bills.

For these reason, the Arthritis Foundation hopes that the Joint Insurance and Real Estate Committee will work with patient community to align the bill with the national landscape.

Sincerely,



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CC: Members, Joint Insurance and Real Estate Committee

